



1 DARON L. TOOCH (State Bar No. 137269)  
KATHERINE M. DRU (State Bar No. 280231)  
2 **HOOPER, LUNDY & BOOKMAN, P.C.**  
1875 Century Park East, Suite 1600  
3 Los Angeles, California 90067-2517  
Telephone: (310) 551-8111  
4 Facsimile: (310) 551-8181  
E-Mail: dtooch@health-law.com

5 Attorneys for Plaintiffs BAY AREA SURGICAL  
6 GROUP, INC.; KNOWLES SURGERY  
CENTER, LLC, NATIONAL AMBULATORY  
7 SURGERY CENTER, LLC, LOS ALTOS  
SURGERY CENTER, LP, FOREST  
8 SURGERY CENTER, LP and SOAR  
SURGERY CENTER, LLC  
9

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**  
12

13 BAY AREA SURGICAL GROUP, INC.;  
KNOWLES SURGERY CENTER, LLC;  
14 NATIONAL AMBULATORY SURGERY  
CENTER, LLC; LOS ALTOS SURGERY  
15 CENTER, LP; FOREST AMBULATORY  
SURGICAL ASSOCIATES, LP; SOAR  
16 SURGERY CENTER, LLC,

17 Plaintiffs,

18 vs.

19 AETNA LIFE INSURANCE COMPANY, *et*  
*al.*,  
20

21 Defendants.  
22  
23  
24  
25  
26  
27  
28

CASE NO. 13-CV-05430 EJD

**NOTICE OF VOLUNTARY DISMISSAL  
OF DEFENDANTS NDS SURGICAL  
IMAGING, LLC and NDS SURGICAL  
IMAGING, LLC WELFARE BENEFITS  
PLAN**

Trial Date: None Set

13-CV-05430 EJD

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS NDS SURGICAL IMAGING, LLC  
and NDS SURGICAL IMAGING, LLC WELFARE BENEFITS PLAN**

HOOPER, LUNDY & BOOKMAN, P.C.  
1875 CENTURY PARK EAST, SUITE 1600  
LOS ANGELES, CALIFORNIA 90067-2517  
TEL: (310) 551-8111 • FAX: (310) 551-8181

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs BAY AREA SURGICAL GROUP, INC.; KNOWLES SURGERY CENTER, LLC; NATIONAL AMBULATORY SURGERY CENTER, LLC; LOS ALTOS SURGERY CENTER, LP; FOREST AMBULATORY SURGICAL ASSOCIATES, LP; and SOAR SURGERY CENTER, LLC, by and through its counsel, voluntarily dismisses without prejudice all causes of action against NDS SURGICAL IMAGING, LLC and NDS SURGICAL IMAGING, LLC WELFARE BENEFITS PLAN in the above-captioned action. This dismissal relates ONLY to NDS SURGICAL IMAGING, LLC and NDS SURGICAL IMAGING, LLC WELFARE BENEFITS PLAN.

DATED: March 5, 2014

HOOVER, LUNDY & BOOKMAN, P.C.

By: /s/ Daron L. Tooch

DARON L. TOOCH

Attorneys for Plaintiffs BAY AREA SURGICAL GROUP, INC.; KNOWLES SURGERY CENTER, LLC, NATIONAL AMBULATORY SURGERY CENTER, LLC, LOS ALTOS SURGERY CENTER, LP, FOREST SURGERY CENTER, LP and SOAR SURGERY CENTER, LLC

HOOVER, LUNDY & BOOKMAN, P.C.  
1875 CENTURY PARK EAST, SUITE 1600  
LOS ANGELES, CALIFORNIA 90067-2517  
TEL: (310) 551-8111 • FAX: (310) 551-8181